

SENATE No. 914

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen M. Brewer

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to certain tanks used for the storage of fluids.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen M. Brewer	Worcester, Hampden, Hampshire and Franklin
Todd M. Smola	1st Hampden
Jennifer M. Callahan	18th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01370 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO CERTAIN TANKS USED FOR THE STORAGE OF FLUIDS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 **SECTION 1.** Section 37 of Chapter 148 of the General Laws, as appearing in the 2002
2 Official Edition, is hereby amended by striking out, in line 3, the words “any fluid other than
3 water” and inserting in place thereof the following words:--

4 any flammable or combustible fluids.

5 **SECTION 2.** Said section 37 of said Chapter 148, as so appearing is hereby further
6 amended by striking out the second para-

7 graph and inserting in place thereof the following paragraph:--

8 The marshal shall establish rules and regulations providing for an inspection of tanks or
9 containers on an annual basis or at such other frequency as may be determined by the marshal.

10 The inspection fee shall be determined annually by the commissioner of administration under the
11 provisions of section three B of chapter seven. Said rules and regulations shall require owners or

12 operators to maintain said tanks or containers on a regular basis and to keep records of

13 inspections, repairs and maintenance for each tank or container in such form as prescribed by the
14 marshal. The marshal may establish standards and qualifications for those persons authorized to
15 conduct inspections under this section. In addition to the inspections required by regulation, the
16 marshal may inspect the premise tanks or containers, dikes, facilities or equipment any time
17 during reasonable business hours to determine compliance with this section or related regulation.
18 For purposes of this section, the marshal shall define by regulation what constitutes a flammable
19 or combustible fluid.